



**CITY OF CARLSBAD**

**PROPOSITION C OPEN SPACE AND TRAILS  
ADHOC CITIZENS ADVISORY COMMITTEE**

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**FINAL COMMITTEE  
REPORT**

**WITH  
PROPERTY ACQUISITION  
RANKINGS**

**Prepared by City of Carlsbad Planning Department  
February 2007**

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**Proposition C Open Space and Trails Ad Hoc  
Citizen's Advisory Committee**

Marty Montgomery – Chairman  
Dennis Villavicencio – Vice-Chairman  
Dr. Joel Altshul  
Saundra Cima  
Dr. Leonard Martyns  
Carl Miller  
Fred Sandquist

## **Introduction**

Proposition C was passed by the voters of Carlsbad in 2001 and authorized the City Council to spend up to \$35 million on four projects of community interest, one of which was open space and trail linkages.

The Proposition C Open Space and Trails Ad Hoc Citizen's Committee, also known as the Open Space Committee, was created by the City Council on October 18, 2005 with the purpose of establishing priorities for open space property acquisition and trail linkage projects and making recommendations to the City Council on potential candidate acquisitions and projects for future expenditures.

The Committee met from February 2006 through January 2007, reviewing pertinent open space and trails documents and maps, touring open space areas within the City, and engaging in discussions with interested members of the public.

This report summarizes the findings and recommendations of the Committee and contains the property acquisition proposals, staff analysis, and related background information.

# CITY OF CARLSBAD - AGENDA BILL

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AB# <u>18,315</u>	TITLE: PROPOSITION C OPEN SPACE AND TRAILS AD HOC CITIZENS ADVISORY COMMITTEE	DEPT. HD. <u><i>[initials]</i></u>
MTG. <u>10/18/05</u>		CITY ATTY. <u><i>[initials]</i></u>
DEPT. <u>PLN</u>		CITY MGR <u><i>[initials]</i></u>

## RECOMMENDED ACTION:

That the City Council **ADOPT** City Council Resolution No. 2005-312, **CREATING** THE Proposition C Open Space and Trails Ad Hoc Citizen's Advisory Committee and **APPOINTING** citizens to membership of said committee.

## ITEM EXPLANATION:

On several previous occasions, the City Council had discussed the creation of an Open Space Citizens Committee. The context for these discussions related primarily to the passage of Proposition C (copy attached), which listed open space acquisition and trail linkages as one of the projects that the citizens authorized the City to fund. The creation of the committee was put on hold until the City's Habitat Management Plan (HMP) was approved by state and federal wildlife agencies. Now that the HMP is approved and the City is in the process of fully implementing the Plan, the City Council may want to create and make appointments to the Committee.

Staff has reviewed the potential role, work product, and duration of the Committee and has derived some recommendations. It is recommended that the Committee's role be the establishment of a priority system to select future open space properties for acquisition and potential trail linkage projects. The work product would then be a list of potential acquisition parcels and trail projects, along with justifications for their acquisition/construction, for consideration and selection by the City Council. The duration of the Committee would be a function of the frequency of meetings and would range from a minimum of six months to a maximum of one year. It is recommended that the Committee be disbanded after its presentation of potential acquisition properties and trail projects to the City Council.

One outstanding issue needing direction from the City Council is the amount of funds available for open space property acquisition and trail linkages. The total allocation of funds for the four projects listed in Proposition C is \$35 million. The project, as defined in the Proposition, lists both open space acquisition and trail linkages however the proportion of \$35 million total allocation set aside for the open space/trail project has yet to be determined. Likewise, the proportion of fund allocation between the open space and trail components of the project is not established.

With regard to fund allocation, Staff is recommending two options. One option would involve the City Council establishing the amount of Proposition C funding available for the open space/trails project up front and allowing the Committee to prioritize the potential open space property acquisition and trail linkage projects based upon that funding limit. Another option would involve the Committee deriving a list of potential open space property acquisitions and trail linkage projects based purely on the derived prioritization criteria, without consideration of cost. The City Council would then decide on the proportion of Proposition C funding for the open space/trail project at a later date, perhaps based in part on the property acquisition opportunities.

## ENVIRONMENTAL:

The creation of the committee and appointment of members does not constitute a "project" under the California Environmental Quality Act (CEQA) and no environmental review is required. Depending on the current zoning and General Plan land use designations of the potential acquisition properties, or the location and extent of the potential trail projects, some level of environmental review may be

APPROVED  
 COUNCIL ACTION:

necessary concurrent with any necessary Zone Changes, General Plan Amendments or other required permits that implement the land acquisition or trail construction.

**FISCAL IMPACT:**

As stated in the Proposition, the funds proposed for allocation for Proposition C projects comes from the City's General Fund. The amount allocated and the remaining amounts are shown below. The amount of funding available for the open space/trails project has not been established.

<u>Prop C projects :</u>			
(in \$1,000s)	Initial Allocation	Appropriated To Date	Remaining Allocation
City training center		(1,050)	
Cannon Rd.		-	
Trails/Open Space		-	
Pool		(11,239)	
Total	35,000	(12,289)	22,711

In addition to the acquisition costs, there will be costs for the ongoing maintenance of any open space or trails acquired and for the administrative expenses for the ad hoc committee. Staff recommends that the allocation for administrative costs not exceed \$5,000 and that the maintenance costs be addressed when the properties are identified.

**EXHIBITS:**

1. City Council Resolution No. 2005-312, creating the ad hoc committee and appointing its members.
2. Copy of Proposition C ballot measure.

DEPARTMENT CONTACT: Michael Grim, (760) 602-4623, mgrim@ci.carlsbad.ca.us

1 RESOLUTION NO. 2005-312

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 CARLSBAD, CALIFORNIA, CREATING THE PROPOSITION C  
4 OPEN SPACE AND TRAILS AD HOC CITIZENS COMMITTEE  
5 AND APPOINTING MEMBERS TO SAID COMMITTEE

6 WHEREAS, the registered voters of the City of Carlsbad, California did, on  
7 November 5, 2002, approve Proposition C authorizing the spending of city funds from various  
8 sources including the General Fund in an amount over \$1 million to construct a swimming pool  
9 complex, trails and open space, safety training facility, and Cannon Road east of College  
10 Boulevard; and

11 WHEREAS, one of the projects listed in Proposition C consisted of trail linkages  
12 and open space acquisition; and

13 WHEREAS, the City Council has expressed interest in the creation of an Citizens  
14 Open Space Committee to make recommendations to the Council on potential linkage projects  
15 and open space property acquisitions.

16 NOW, THEREFORE, the City Council of the City of Carlsbad, California, does  
17 hereby resolve as follows:

18 1. That the above recitations are true and correct.

19 2. That there is hereby created a Proposition C Open Space and Trail Ad  
20 Hoc Advisory Committee whose charge shall be to establish priorities for open space property  
21 acquisition and trail linkage projects and make recommendations to the Council on potential  
22 candidate acquisitions and projects for future expenditures, as specified in Proposition C via the  
23 following powers, duties, and responsibilities:

24 a. The Ad Hoc Advisory Committee shall be appointed by the Mayor  
25 with the advice and recommendations of the City Council and the members shall  
26 be five residents of the City of Carlsbad, one member at large, and one member  
27 from the City Planning Commission, as follows:

- 28 1. Dr. Joel Altshul
2. Sandra Cima
3. Leonard Martyns
4. Fred Sandquist
5. Dennis Villavicencio
6. Carl Miller (at large)
7. Marty Montgomery (Planning Commissioner)

b. The Ad Hoc Committee shall exist for a maximum of one year, or  
until all fund allocation recommendations are made, whichever occurs first, from

1 the date of this resolution and, at the end of this time period, shall cease to exist  
2 unless on or before that expiration date the City Council acts by further resolution  
3 to renew its term in either the same or an amended state. The terms of the  
4 Committee members shall be for one year. Committee members shall serve  
5 without compensation;

6 c. Staff from the City of Carlsbad shall be ex-officio, non-voting,  
7 members of the Committee and shall provide support and advice as is  
8 appropriate. The Committee shall be given all reasonable tools, resources,  
9 background information, and staff support necessary for it to accomplish its  
10 objectives. A budget not to exceed \$5,000 is hereby appropriated from the  
11 General Fund to support the work of the Ad Hoc Committee;

12 d. The Ad Hoc Committee shall select a Chairperson and establish  
13 its own meeting schedule (in keeping with section "f"), as necessary and  
14 appropriate, to accomplish the work assigned to it by the City Council;

15 e. The Ad Hoc Committee shall conduct its business in open and  
16 public meetings which shall be subject to the Ralph M. Brown Act ("Act", Gov  
17 Code Sections 54950, et seq.) and shall only meet in closed session upon advice  
18 of the City Attorney in accordance with the Act;

19 f. The principal charge of the Ad Hoc Committee is to make  
20 recommendations to the City Council for proposed expenditures of Proposition C  
21 allocated funds;

22 g. No member of the Ad Hoc Committee shall participate in  
23 discussions on or cast a vote on expenditure recommendations where he or she  
24 is likely to have a conflict of interest. Members should consult with the City  
25 Attorney if they have reason to believe a conflict will arise.

26 PASSED AND ADOPTED at a regular meeting of the City Council of the  
27 City of Carlsbad on the 18th day of Oct. 2005, by the following vote, to wit:

28 AYES: Council Members Lewis, Hall, Kulchin, Packard  
and Sigafoose

NOES: None

ABSENT: None

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ATTEST:

LORRAINE M. WOOD, City Clerk

(SEAL)





## CITY OF CARLSBAD Proposition C

(This proposition will appear on the ballot in the following form.)

### PROP C

Do the voters of the City of Carlsbad approve spending city funds from various sources including the General Fund in an amount over \$1 million to construct capital facilities including a swimming pool complex, trails linkages and open space, a City/Safety Training Facility and a portion of Cannon Road, east of College (Reach 4)?

This Proposition requires approval by a simple majority (50% plus one vote) of the voters to pass.

#### CITY ATTORNEY'S IMPARTIAL ANALYSIS

**THE WAY IT IS NOW:** Existing federal, state or local law requires that each real property acquisition or capital improvement project go through an extensive budgeting and approval process. Depending on the nature of the acquisition or project, it can be financed by special funds, general funds, or a combination of both. Special funds are generated from special taxes or development fees, which can only be used for the purpose for which they were imposed. General funds are generated from general taxes or general fees, which can be used for any municipal purpose. Most real property acquisitions or capital improvement projects are paid for from special funds. However, real property acquisitions or capital improvement projects requiring the expenditure of over \$1 million from general funds are subject to Carlsbad Municipal Code Chapter 124, which requires a majority vote of the citizens for such expenditures.

**THE PROPOSAL:** The Proposal seeks voter approval under Carlsbad Municipal Code Chapter 124 for the expenditure of general funds over \$1 million to finance or help finance the construction of:

- A swimming pool complex;
- Trails linkages and open space;
- A City/Safety Training Facility;
- A portion of Cannon Road, east of College (Reach 4).

If approved by a majority vote, the City Council may authorize the expenditure of over \$1 million from general funds for the development of each of these projects. A majority vote does not require this expenditure but instead, authorizes the City Council to use this source of funds for these projects.

If Proposition B, which also appears on this ballot, is approved, then the City Council would have authority to spend general funds in excess of \$1 million on the specified projects, regardless of the outcome of Proposition C. If Proposition B is not approved, then the City Council would not have the authority to spend general funds in excess of \$1 million on the specified projects, unless this Proposition C is approved by the voters.

**A "YES" VOTE MEANS:** If you vote "yes", you wish to authorize the City Council to approve spending general funds in an amount over \$1 million to finance or help finance the specified projects.

**A "NO" VOTE MEANS:** If you vote "no", you do not wish to authorize the City Council to approve spending general funds in an amount over \$1 million to finance or help finance the specified projects.

#### HOW PROPOSITION "C" GOT ON A BALLOT.

At its August 6, 2002 meeting, the City Council voted to place Proposition C before the voters to decide whether general funds in excess of \$1 million should be used to finance or help finance the specified projects.

**FISCAL IMPACT:** Proposition C does not require the expenditure of general funds but instead authorizes the City Council to use general funds in excess of \$1 million to finance or help finance the specified projects. These specified projects have not been designed and their exact costs will be determined during the design, permitting, budgeting and public hearing processes.

PR-0940-6

SD 633-038

## ARGUMENT IN FAVOR OF PROPOSITION C THIS PROPOSITION CREATES NO NEW TAXES. IT ALLOWS THE CITY TO USE THE TAXES ALREADY RECEIVED IN A WAY THAT BENEFITS THE COMMUNITY.

The Growth Management Plan (GMP) requires developers, not existing residents and businesses, to pay for new facilities such as parks and roads. Unfortunately the money is not collected from developers until development occurs. This means that the construction of facilities may lag behind need. This proposition allows the City to advance funding for certain projects ahead of developer funding, and invest additional tax revenues to enhance public benefit or construct projects that would not be a developer responsibility.

A YES vote on Proposition C will provide money for the following projects:

- **SWIMMING POOL COMPLEX** – a second swimming pool is needed now. Additional funds must be allocated to create a facility that will serve the needs of our community. A YES vote allows the City to allocate additional funds to this project.
- **TRAILS AND OPEN SPACE** – Carlsbad residents have repeatedly said that creating trails and preserving open space is their top priority. A YES vote will provide funding for both trail linkages and open space acquisition projects.
- **SAFETY TRAINING FACILITY** – The City's police officers and firefighters must constantly train to maintain a high degree of readiness. A YES vote will provide funding to build a facility to train our safety forces, and upgrade existing facilities and programs.
- **CANNON ROAD EAST OF COLLEGE** – This section of Cannon Road is needed to connect Cannon Road from Carlsbad to Oceanside. This will take traffic congestion off College Avenue in northeast Carlsbad and El Camino Real near Highway 78. A YES vote will provide money to complete this project.

We urge you to vote YES on Proposition C.

CLAUDE LEWIS  
Mayor  
ANN KULCHIN  
Mayor Pro-Tem

RAMONA FINNILA  
City Council Member  
JULIE NYGAARD  
City Council Member

## ARGUMENT AGAINST PROPOSITION C

No argument against the proposition was filed in the office of the City Clerk.

EXHIBIT 2

SD 633-039

PR-0940-7

All Receive-Agenda Item # 7

For the Information of the:  
CITY COUNCIL  
Asst. CM ☒ CA ☒ CC ☒

Date 10-18 City Manager RP



BUILDING INDUSTRY  
ASSOCIATION OF  
SAN DIEGO COUNTY

BUILDING INDUSTRY ASSOCIATION  
OF SAN DIEGO COUNTY  
9201 Spectrum Center Blvd., Ste. 110  
SAN DIEGO, CA 92123-1407

PHONE: [858] 450-1221 Ext.107  
FAX: [858] 552-1445  
EMAIL: [scott@biasd.org](mailto:scott@biasd.org)

TOTAL # OF PAGES (INCLUDING COVER): 2

DATE: October 18, 2005

FROM: Scott Molloy,  
Public Policy Advocate

TO: Honorable Claude Lewis  
Honorable Matt Hall  
Honorable Mark Packard  
Honorable Ann Kulchin  
Honorable Norine Sigafosse

COMPANY: City of Carlsbad

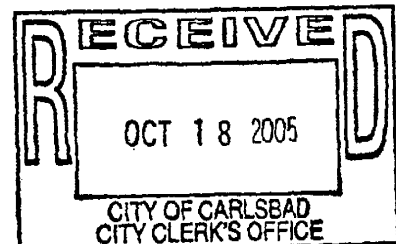
FAX #: 760-720-9461

MESSAGE:

Mayer Lewis,

Please find the attached letter in support of the city's efforts to move forward with the implementation of the Habitat Management Plan.

Sincerely,  
Scott



Copies To:  
City Clerk  
Asst. CC  
Dep. CC

OCT. 18. 2005 2:04PM

NO. 8664 P. 2/2

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Trimark Pacific Homes

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Newport National Corp.

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**AFFILIATES**

California Building  
Industry Association

National Association  
of Home Builders

National Association  
of Industrial and  
Office Properties

October 18, 2005

Honorable Claude Lewis  
Mayor  
City of Carlsbad  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008

RE: Item 7: Proposition "C" Open Space and Trails Ad Hoc Citizens'  
Advisory Committee


Dear Mayor Lewis and Members of the City Council:

The Building Industry Association of San Diego County represents 1,460 member companies comprising a workforce of 165,000 San Diegans. We support the city's efforts move forward with implementation of the Habitat Management Plan (HMP). We request that the formation of the Ad Hoc Citizens' Advisory Committee include landowners and members of the business community to ensure a balanced perspective on the issues of prioritizing open space acquisition and trails.

It is also important that the role of the advisory committee be confined to these two HMP issues and that the committee avoids making recommendations on specific development projects before the city. We request that this be clearly defined in the committee's charter.

Thank you for this opportunity to provide input on the formation of the Citizens' Advisory Committee. We look forward to the successful implementation of the HMP.

Very truly yours,

  
Scott C. Molloy  
Public Policy Advocate

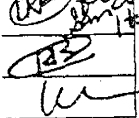
cc: Michael Babowal, Carlsbad Chamber of Commerce  
BIA North County Board of Directors





# CITY OF CARLSBAD – AGENDA BILL

3

AB#	18,758	Report on Proposition C Open Space and Trails Ad Hoc Citizens Committee and Request for Term Extension	DEPT. HEAD	
MTG.	10/10/06		CITY ATTY.	
DEPT.	PLN		CITY MGR.	

## RECOMMENDED ACTION:

That the City Council **ADOPT** Resolution No. 2006-294, **ACCEPTING** the ranking criteria and public outreach program developed by the Proposition C Open Space and Trails Ad Hoc Citizen's Advisory Committee and **EXTEND** the term of the Committee.

## ITEM EXPLANATION:

On October 18, 2005, the City Council created the Proposition C Open Space and Trails Ad Hoc Citizen's Committee (also known as the Open Space Committee). The stated purpose of the Committee was to establish priorities for open space property acquisition and trail linkage projects and make recommendations to the City Council on potential candidate acquisitions and projects for future expenditures. In addition, the City Council directed staff to ensure that the Committee received all relevant materials and background information necessary to make informed recommendations.

The Committee has met regularly since its first meeting in February 2006 and members of the public have attended and participated in all meetings. After establishing norms and operating agreements, the Committee received presentations and materials from staff and the public regarding the intent and contents of many relevant open space and trails documents including, but not limited to; the Habitat Management Plan (HMP), Open Space and Conservation Resource Management Plan (OSCRMP), and Citywide Trails Program.

The Committee also received aerial photo exhibits of the entire City, with pertinent HMP and trail overlay information and, in a workshop format, compared this information to the locations of existing and potential future private and public development projects. Once the Committee members were familiar with the relevant policy and regulatory documents and the geographical scope of open space and trail opportunities within the City, staff conducted Committee member open space tours of the City to connect the documents and exhibits with field experiences.

Based upon the information provided, the Committee reviewed potential criteria for use in ranking the candidate properties for acquisition. These criteria, described in the attached report, closely follow the relevant documents such as the HMP, OSCRMP and Trails Program. They include items such as the provision of biological connectivity, service of both habitat preservation and trail linkage purposes, and the presence of special plant or animal species/habitat listed in the HMP. Each potential open space and/or trail linkage property will be evaluated using these criteria and then ranked based upon that evaluation.

<b>FOR CITY CLERKS USE ONLY.</b>				
COUNCIL ACTION:	APPROVED	<input checked="" type="checkbox"/>	CONTINUED TO DATE SPECIFIC	<input type="checkbox"/>
	DENIED	<input type="checkbox"/>	CONTINUED TO DATE UNKNOWN	<input type="checkbox"/>
	CONTINUED	<input type="checkbox"/>	RETURNED TO STAFF	<input type="checkbox"/>
	WITHDRAWN	<input type="checkbox"/>	OTHER – SEE MINUTES	<input type="checkbox"/>
	AMENDED	<input type="checkbox"/>		

***Page 2 - Report on Proposition C Open Space and Trails Ad Hoc Citizens Committee  
and Request for Term Extension***

Provided that the Council accepts the proposed ranking criteria and public outreach program discussed in the attached report, the Committee is now prepared to gather a list of candidate properties for acquisition and process that list through the ranking process. While staff will provide a list of possible candidate properties, it is important to allow the public to offer suggestions of potential acquisition properties. Therefore, a proposed public outreach program has been developed; this program is detailed in the attached report and staff has already received several inquiries from the public on how to propose potential properties for consideration.

Once the public outreach program has concluded and a list of properties is prepared, the Committee will rank these properties and prepare a report for the City Council recommending candidate property acquisitions. Included in this report will be an analysis of possible funding sources outside of the Proposition C funds (such as direct grants from the Wildlife Agencies or partnerships with non-profit organizations) and an evaluation of the likelihood of the applicability of these funds for each property.

Given that the Committee is set to expire on October 18, 2006, there is a need to extend the term of the Committee to allow for the public outreach program, to evaluate and rank the candidate properties, and prepare a recommendation report for City Council. After review of the necessary tasks and events, the Committee determined that the proposed expiration date of January 31, 2007 would allow adequate time for completion of their responsibilities.

**FISCAL IMPACT:**

The request for acceptance of the report and extension of the term of the Committee will not produce any fiscal impacts, in that the Committee members serve without compensation and the remaining funds budgeted for the administrative support of the Committee are sufficient to cover all anticipated costs.

**ENVIRONMENTAL IMPACT:**

The request for acceptance of the report and extension of the term of the Committee does not constitute a project, as defined by Section 15378 of the State California Environmental Quality Act (CEQA) Guidelines, and therefore no environmental documentation is necessary.

**EXHIBITS:**

1. City Council Resolution No. 2006-294
2. City Council Resolution No. 2005-312
3. Report on Open Space Committee Priority Criteria and Public Outreach Program

RESOLUTION NO. 2006-294

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, ACCEPTING THE RANKING CRITERIA AND PUBLIC OUTREACH PROGRAM AND EXTENDING THE TERM OF THE PROPOSITION C OPEN SPACE AND TRAILS AD HOC CITIZENS ADVISORY COMMITTEE.

WHEREAS, the City Council created the Proposition "C" Open Space and Trails Ad Hoc Citizen's Advisory Committee on October 18, 2005 for a maximum term of one year unless extended; and

WHEREAS, the purpose of the Committee is to establish priorities for open space property acquisition and trail linkage projects and make recommendations to the City Council on potential candidate acquisitions and projects for future expenditures; and

WHEREAS, the Committee is requesting additional time to solicit public proposals for potential open space property acquisitions and trail linkage projects and complete the ranking of all candidate properties.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, does hereby resolve as follows:

1. The above recitations are true and correct.
2. That the ranking criteria and public outreach program detailed in the "Report on the Proposition C Open Space and Trails Ad Hoc Citizen's Advisory Committee Proposed Ranking Criteria and Public Outreach Program" are accepted.
3. That the expiration date of the Proposition C Open Space and Trails Ad Hoc Citizens Advisory Committee shall be extended to January 31, 2007 and, on that date, the Committee shall cease to exist unless on or before that expiration date the City Council acts by further resolution to renew its term.
4. The membership, powers, duties, and responsibilities of the Committee shall remain as originally stated in City Council Resolution No. 2005-312, dated October 18, 2005.

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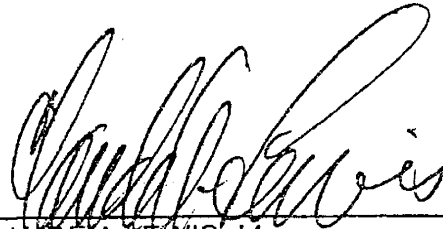
....

1 PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council  
2 of the City of Carlsbad on the 10th day of October, 2006, by the following vote:  
3

4 AYES: Council Members Lewis, Hall, Packard, Sigafoose


5 NOES: None

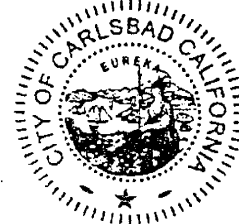
6 ABSENT: Council Member Kulchin  
7

8  
9  
10 

11 CLAUDE A LEWIS, Mayor

12 ATTEST:

13  
14   
15 LORRAINE M. WOOD, City Clerk  
16 (SEAL)



RESOLUTION NO. 2005-312A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CARLSBAD, CALIFORNIA, CREATING THE PROPOSITION C  
OPEN SPACE AND TRAILS AD HOC CITIZENS COMMITTEE  
AND APPOINTING MEMBERS TO SAID COMMITTEE

WHEREAS, the registered voters of the City of Carlsbad, California did, on November 5, 2002, approve Proposition C authorizing the spending of city funds from various sources including the General Fund in an amount over \$1 million to construct a swimming pool complex, trails and open space, safety training facility, and Cannon Road east of College Boulevard; and

WHEREAS, one of the projects listed in Proposition C consisted of trail linkages and open space acquisition; and

WHEREAS, the City Council has expressed interest in the creation of an Citizens Open Space Committee to make recommendations to the Council on potential linkage projects and open space property acquisitions.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, does hereby resolve as follows:

1. That the above recitations are true and correct.

2. That there is hereby created a Proposition C Open Space and Trail Ad Hoc Advisory Committee whose charge shall be to establish priorities for open space property acquisition and trail linkage projects and make recommendations to the Council on potential candidate acquisitions and projects for future expenditures, as specified in Proposition C via the following powers, duties, and responsibilities:

a. The Ad Hoc Advisory Committee shall be appointed by the Mayor with the advice and recommendations of the City Council and the members shall be five residents of the City of Carlsbad, one member at large, and one member from the City Planning Commission, as follows:

1. Dr. Joel Altshul
2. Sandra Cima
3. Leonard Martyns
4. Fred Sandquist
5. Dennis Villavicencio
6. Carl Miller (at large)
7. Marty Montgomery (Planning Commissioner)

b. The Ad Hoc Committee shall exist for a maximum of one year, or until all fund allocation recommendations are made, whichever occurs first, from



1 the date of this resolution and, at the end of this time period, shall cease to exist  
2 unless on or before that expiration date the City Council acts by further resolution  
3 to renew its term in either the same or an amended state. The terms of the  
4 Committee members shall be for one year. Committee members shall serve  
5 without compensation;

6 c. Staff from the City of Carlsbad shall be ex-officio, non-voting,  
7 members of the Committee and shall provide support and advice as is  
8 appropriate. The Committee shall be given all reasonable tools, resources,  
9 background information, and staff support necessary for it to accomplish its  
10 objectives. A budget not to exceed \$5,000 is hereby appropriated from the  
11 General Fund to support the work of the Ad Hoc Committee;

12 d. The Ad Hoc Committee shall select a Chairperson and establish  
13 its own meeting schedule (in keeping with section "f"), as necessary and  
14 appropriate, to accomplish the work assigned to it by the City Council;

15 e. The Ad Hoc Committee shall conduct its business in open and  
16 public meetings which shall be subject to the Ralph M. Brown Act ("Act", Gov  
17 Code Sections 54950, et seq.) and shall only meet in closed session upon advice  
18 of the City Attorney in accordance with the Act;

19 f. The principal charge of the Ad Hoc Committee is to make  
20 recommendations to the City Council for proposed expenditures of Proposition C  
21 allocated funds;

22 g. No member of the Ad Hoc Committee shall participate in  
23 discussions on or cast a vote on expenditure recommendations where he or she  
24 is likely to have a conflict of interest. Members should consult with the City  
25 Attorney if they have reason to believe a conflict will arise.

26 PASSED AND ADOPTED at a regular meeting of the City Council of the  
27 City of Carlsbad on the 18th day of Oct. 2005, by the following vote, to wit:

28 AYES: Council Members Lewis, Hall, Kulchin, Packard  
and Sigafosse

NOES: None

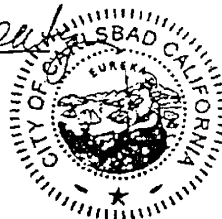
ABSENT: None

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ATTEST:

LORRAINE M. WOOD, City Clerk

(SEAL)



## Report on the Proposition C Open Space and Trails Ad Hoc Citizen's Advisory Committee Proposed Ranking Criteria and Public Outreach Program

The Proposition C Open Space and Trails Ad Hoc Citizen's Committee (also known as the Open Space Committee) was created to establish priorities for open space property acquisition and trail linkage projects and make recommendations to the City Council on potential candidate acquisitions and projects for future expenditures from a portion of the Proposition C funding.

### Background and Ranking Criteria

The Committee has reviewed the City's General Plan Open Space and Conservation Element of the General Plan, Open Space and Conservation Resource Management Plan (OSCRMP), Habitat Management Plan (HMP), and Citywide Trails Program. The Committee members have also reviewed aerial photography mapping and the locations of existing and potential future developments and have conducted field trips of open space areas within the City.

Based upon this information and public input received at several Open Space Committee meetings, the Committee derived a system and criteria for evaluating and ranking the potential open space and trail properties. The goal of the Committee was to design a system that was simple and transparent with criteria relevant to the purpose. Therefore a list of priorities or criteria was developed by the Committee and each member ranked these criteria in order of importance. The individual rankings were coalesced into a master list. The criteria in the master list were organized into three groups of differing importance and ranked within those groups. Each criterion was then given a numerical value, as shown below. The list provided below offers a brief description of the criteria; a more detailed description, with examples, would be provided with the public outreach materials.

### Group A

- |  |    |
|--|----|
| • Contains narrow endemics, vernal pools, and other species of special interest: | 24 |
| • Provides connectivity of biological/wildlife corridors:                        | 23 |
| • Serves both habitat and trail linkage purposes:                                | 22 |
| • Provides for trails or trail linkages:   | 21 |
| • Contains native habitat:   | 20 |

## Group B

- Meets multiple priorities contained in the OSCRMP: 14
- Located within the HMP Focus Planning Area: 13
- Located within or adjacent to existing HMP preserve system: 12
- Type of habitat is priority in HMP (e.g. wetlands, riparian): 11

## Group C

- Contains paleontological, archeological, cultural resources: 5
- Provides connectivity of scenic or other open spaces: 4
- Enhances water quality: 3
- Property not in need of habitat rehabilitation/revegetation: 2
- Possesses special or unique circumstances 1

The ranking process would involve assessing if the potential candidate properties possess the criteria listed above and, if so, the property would be awarded the corresponding point value. All awarded point values would be summed for each property and then ranked, with the highest point total being the top priority acquisition.

The Open Space Committee considered, but did not include, several other criteria. For example, the criteria do not include whether the property owner is willing to sell the property for open space or trail purposes. The Committee decided that a property owner's willingness to sell can be based upon many factors which may change over time or in different circumstances. Therefore, the willingness of the seller would be considered when the actual acquisition of the property is investigated.

Another criterion not included deals with the availability of additional funding sources. While staff has identified many supplemental funding sources, these monies require application and/or coordination with other organizations and the availability of these funding sources is difficult to ascertain. Once the list of potential property acquisitions is assembled by the Committee, staff will provide an analysis on the potential alternative funding opportunities for each property; this analysis will accompany the list of property acquisition recommendations to the City Council.

### Public Outreach Program

In order to gather a comprehensive list of potential open space and trail acquisition properties, staff and the Committee are recommending a public outreach program. While staff will provide a list of possible candidate properties, it is important to allow the public to offer suggestions of potential acquisition

properties. Staff has already received several inquiries from the public on how to propose potential properties for consideration.

The proposed public outreach program would involve newspaper advertisements and articles, a press release on the City website, an announcement with application process information on the Planning Department webpage, postings at the Planning Department front counter, and mailings to interested parties. As stated above, staff has already begun receiving requests for application information and these individuals, along with local and state conservancy groups and organizations, would be included in the mailing list.

The basic information needed for a proposal would include property identification (address or Assessor's Parcel Number), a list of which criteria apply to the property, and a discussion on how the property meets those criteria. Additional information, such as aerial photographs or biological surveys, could also be submitted if available.

The proposed duration of the public outreach program is 30 days. Provided that the City Council accepts the proposed ranking criteria and public outreach program, the process can start on October 18 and end on November 17, 2006. The Open Space Committee would meet in early December 2006 to evaluate and rank the candidate properties. Given this schedule, the Committee recommendation could be presented to City Council in early January 2007.

# **Proposition C Open Space and Trails Ad Hoc Citizen's Committee**

## **Report and Extension Request**

### **Background**

- **Proposition C Open Space Committee was formed by City Council to:**
  - Establish priorities for open space property acquisition and trail linkage projects; and
  - Make recommendations on potential candidate acquisitions.
- **Council also requested review of all relevant open space and trails materials.**

## Review of Materials

- The Committee has reviewed a number of materials, including:
  - General Plan Open Space and Conservation Element
  - Open Space and Conservation Resource Management Plan
  - Habitat Management Plan
  - Citywide Trails Program
  - Aerial photographs and development maps of City

## Ranking Criteria

- Divided into three groups of differing importance.
- Highest priority given to special interest habitats, trail linkages, and connectivity of biological/wildlife corridors.
- Lower priority criteria include cultural, historical, or paleontological resources, water quality, and scenic open spaces.

## Public Outreach

- Important to allow public opportunity to suggest potential property acquisitions.
- Public outreach to be advertised in newspaper, on website, and through mailings.
- 30 day public comment period
  - October 18 through November 17, 2006
- Property identification and justification required for submittal.

## Extension Request

- Open Space Committee currently set to expire on October 17, 2006.
- Additional time is needed to allow for public input, consider potential properties, rank the properties, and present to City Council.
- Committee is requesting an extension to January 31, 2007.

**CITY OF CARLSBAD**  
**PROPOSITION C OPEN SPACE AND TRAILS**  
**AD HOC CITIZENS ADVISORY COMMITTEE**

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**MEETING AGENDA**

**MEETING OF FRIDAY, DECEMBER 1, 2006, 9:00 A.M.**

**CONFERENCE ROOM 173B**

**CARLSBAD FARADAY CENTER, 1635 FARADAY AVE,**

**CARLSBAD, CA 92008**

1. Call To Order
2. Roll Call
3. Approval of Minutes from September 15, 2006 Meeting
4. Public Comment (15 minutes maximum)
5. Presentation of Potential Candidate Properties from Staff and Public
6. Ranking of Candidate Properties
7. Discussion of City Council Agenda Item Scheduling
8. Continued Public Comment (if necessary)
9. Adjourn



**CITY OF CARLSBAD**  
**PROPOSITION "C" OPEN SPACE AND TRAILS**  
**AD HOC CITIZENS ADVISORY COMMITTEE**

**MEETING MINUTES**  
**December 1, 2006**

**CALL TO ORDER:**

Chair Marty Montgomery called the meeting to order at 10:15 a.m.

Committee Members Present: Marty Montgomery, Dennis Villavicencio, Carl Miller, Leonard Martyns, Joel Altshul, Sandra Cima and Fred Sandquist

Staff Members Present: Mike Grim, Senior Planner  
Theresa Brassington

Also Present: Jim Boylan, Facilitator

**APPROVAL OF MINUTES AND CHARTERED NOTED:**

Previous minutes were unavailable for approval.

**PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:**

Chair Montgomery opened up the meeting to public comments on items not on the agenda. There was no comment.

**PRESENTATION OF POTENTIAL CANDIDATE PROPERTIES:**

Mr. Grim thanked the Committee for their diligent work towards the summation of potential property candidates. Jim Boylan reviewed the ground rules for meeting conduct and the decision making process. He noted that due to the large number of properties to be presented, all comments should be limited to fifteen minutes. He reiterated that the Committee has tried to create an objective analysis of the properties and that the purpose of the meeting was for informational dialogue and not debate. The Committee's rank and order scores

for each property would be presented to the City Council and the Council meeting would be the forum for debate.

Mr. Grim asked the Committee if they prefer the ranking system be based on consensus opinion or a simple majority. Mr. Villavicencio stated that reaching a consensus would be the goal, but if that was not possible then a 75% majority would suffice.

### **RANKING OF CANDIDATE PROPERTIES:**

Mr. Grim reviewed the background of the Committee's charter as well as the committee members' research on available properties. Each committee member had individually reviewed the criteria and jointly created a ranking point system to analyze the properties. There were three major categories ranging in descending order from A-C. "A" category criteria had the highest ranking points and contain the following: biological corridors, both habitat and trail linkages, and narrow endemic species and native habitat. Other criteria in the "B" and "C" categories include location within or adjacent to the HMP preserve area or contains rare habitat types such as wetlands or riparian areas. Other criteria included rehabilitation requirements, archeology and paleontology resources.

The information requirements for property proposal submissions were available to the public and posted on the City web site and bulletin boards. Proposed properties needed to include property analysis in order to qualify on the list. A large number of e-mails were received in support of the preservation of Village H within the Calavera Hills Master Plan.

There were 13 proposed properties with adequate background information and analysis available. The Committee reviewed each proposal and voted on a final score for each property. Complete descriptions of each property are available separately.

### **Sherman Property**

Diane Nygaard, Nighthawk Way, Oceanside, stated that the Sherman Property is located within the HMP focus Planning Area Core and provides trail and habitat linkages. It contains a creek and priority wetland habitat. Ms. Nygaard stated that the property is now in escrow and the majority of funds came from the state and federal funding sources, such as the Federal Wildlife Foundation. Preserve Calavera was now requesting that the City purchase trail linkages, not the entire property.

The Committee voted 7-0 to approve the 173 point score.

### **South Coast Quarry property.**

Brian Milich from Corky McMillan Co. stated that McMillan Co. is currently doing their own environmental analysis of the Quarry property. He stated that he hadn't had the opportunity to review the current property report. He wanted the committee to compare McMillan's report to the current report. He also noted that a portion of the property would already be set aside as open space easement. Kasey Cincirelli stated that the property is an important watershed and filters local water leading to the ocean. She also noted that the property is slated for high density development if it is not acquired. Diane Nygaard stated that the property is part of the State mining reclamation funds and could be restored with state funds. She noted that half of the property contains native habitat and provides wildlife corridors. Dennis Villavicencio asked what the purchase price would be. Ms. Nygaard stated that they didn't have an exact price at this time. She noted that the Sherman property was acquired for \$60,000 per acre.

The Committee voted 7-0 to approve the 175 point score.

### **Calavera Hills Village H**

Village H property provides linkage to core wildlife habitat areas and lies within the HMP preserve. The parcel contains narrow endemics, such as the California Gnatcatcher, Cooper's Hawk, and Orange Throated Whiptail. The property also provides wildlife corridors and habitat and trail linkages. In addition the site has a high potential for fossil content. Eugenia Orlowski stated that the property has already gone through the entitlement process. Part of the property is already set aside but it will need habitat enhancement. Brian Milich of Corky McMillan stated that habitat land has already been set aside but the developer would prefer not to have maintenance obligations on the property.

The Committee voted 6-1, with Martyns dissenting, to approved the 173 point score.

### **Carlsbad Unified School District High School Site**

Diane Nygaard stated that now that the Bond was approved, the school district is going through with the high school project development. It was proposed to acquire any portion of the site that is excess to the planned use. Public agencies will have the first right to purchase the excess land. The property has native endemic species and trail linkages.

The Committee voted 7-0 to approve the 168 point score.

**Kato Property:**

Diane Nygard stated that the property is a multi-generation property with cultural resources. The parcel is designated as Critical Habitat for the endangered Gnatcatchers. There are wetlands and native habitat on site.

The Committee voted 7-0 to approve the 168 point score.

**Mandano Property:**

Diane Nygard stated that the land was originally purchased by a developer and could be developed if not preserved. It is designated as Critical Habitat for the Gnatcatcher and has wetlands and on site. It is a major habitat preserve and provides wildlife connectivity and trail linkages. She noted that even a small amount of building development would greatly impact the existing endangered species and habitat. Mr. Montgomery noted that a local Native Indian tribe may have previously occupied the property. He also said that this property is a critical parcel for habitat connectivity. Carl Miller stated that the property is more critical than the 168 point score would suggest. Mr. Villavicencio noted that it would be a good idea to include an addendum to the City Council that this property is critical for habitat connectivity.

The Committee voted 7-0 to approve the 168 point score with an addendum comment to the Council regarding the importance of this property with regard to habitat linkage.

Mr. Jim Boylan noted that the Committee could add two types of comments. The Mandano addendum could be a consensus comment to the City Council. Dissenting individual comments could also be noted to the Council.

**Lubliner Property:**

Diane Nygaard noted that this proposal only involves the City wide trail alignment shown in the Trails Master Plan. The property contains special species and native habitats and provides for trail linkages.

The Committee voted 7-0 to approve the 156 point score

**Rancho Carlsbad Property:**

Diane Nygaard stated that this a small five to seven acre parcel. Ms. Nygaard says that they are seeking to preserve the small amount of land to add to the existing trail linkages. The parcel is also in close proximity to the high school site and is within the HMP focus area.

The Committee voted 7-0 to approve the 156 point score.

**Brodiaea Preserve:**

Mike Grim stated that the two acre property is located within the HMP Hardline Preserve but is not located within or near the City wide trail system. It does contain *Brodiaea filifolia*, a narrow endemic species of interest. The property is currently in bankruptcy and has been offered to the City, therefore no acquisition costs would be incurred. There would be ongoing costs involved in the management and biological monitoring.

The Committee voted 7-0 to approve the 82 point score.

**Palomar Airport Property:**

Diane Nygaard stated that the parcel contains native species and habitat and provides connectivity. Ms. Nygaard also noted that the site provides wildlife corridors and contains high quality native habitat. Mountain lion scat was found on the parcel two years ago. The parcel also provides trail linkages. The property has been used for recreation and mountain biking. She also noted that they are looking at only the portion of land north of Faraday. Sandra Cima asked if the property acquisition would incur maintenance costs. Mr. Grim noted that the City would seek an open space easement rather than fee title ownership.

The Committee voted 7-0 to approve the 170 point score.

**Murphy Property:**

Mike Grim stated that both the Murphy and Mitsuuchi properties are located on the Batiquitos Lagoon and share similar attributes. The Murphy property is the most western property on the north eastern side of the lagoon. Mr. Grim said that the property provides a critical trail linkage and provides unique lagoon habitat. Preservation of the property would establish the linkage between the lagoon and the upland corridor. The property is within the HMP hardline habitat preserve system. He noted that although there were narrow endemic species on site, no biological studies were available and full points for endemic species were not awarded. Fred Sandquist noted that the wetland area is a breeding ground for endangered species and birds.

The Committee voted 7-0 to approve the 143 point score.

**Mitsuuchi Property:**

Mike Grim stated that the property fronts on the Batiquitos Lagoon and is part of the HMP preserve and also provides upland habitat adjacent to the lagoon. The site would establish the linkage between the lagoon and the upland corridor.

The site contains riparian and wetland habitat as well as coastal sage scrub and maritime succulent scrub. The property is next to wetland and contains drainage area to enhance water quality. The parcel also offers scenic views from arterial roadways and buffers the lagoon from nearby development.

The Committee voted 7-0 to approve the 145 point score.

**Poinsettia Vernal Pools:**

Mike Grim stated that the property contains wetlands and vernal pools and is within the NCTD right-of-way and HMP Special Resource Area No. 2. The proposal would be for a conservation easement and management of the property since property ownership would remain with NCTD. Mr. Villavicencio noted that vernal pools are a rare and valuable resource.

The Committee voted 7-0 to approve the 102 point score.

**DISCUSSION OF CITY COUNCIL AGENDA SCHEDULING:**

The Committee agreed to set the next meeting for January 12 at 11am in order to approve the previous meeting minutes and review the City Council Agenda Bill and final recommendations.

**CLOSING PUBLIC COMMENT:**

Diane Nygaard reminded the Committee of the importance of preserving the parcels that provide intact wildlife habitat and connectivity and she noted that property values do increase after the entitlement process is completed.

**ADJOURNMENT:**

Chairman Montgomery made a motion to adjourn, which was seconded Dennis Villavicencio.

**RESPECTFULLY SUBMITTED:**

Theresa Brassington

*Minutes approved by the Committee at their regularly scheduled meeting of January 12, 2007.*

**CITY OF CARLSBAD**  
**PROPOSITION C OPEN SPACE AND TRAILS**  
**AD HOC CITIZENS ADVISORY COMMITTEE**

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**MEETING AGENDA**

**MEETING OF FRIDAY, JANUARY 12, 2007, 11:00 A.M.**

**CONFERENCE ROOM 173A**

**CARLSBAD FARADAY CENTER, 1635 FARADAY AVE,  
CARLSBAD, CA 92008**

1. Call To Order
2. Roll Call
3. Approval of Minutes from September 15 and December 1, 2006 Meetings
4. Public Comment (15 minutes maximum)
5. Approval of City Council Agenda Bill and Final Property Ranking Report
6. Continued Public Comment (if necessary)
7. Adjourn

## **CITY OF CARLSBAD**

### **PROPOSITION "C" OPEN SPACE AND TRAILS AD HOC CITIZENS AND ADVISORY COMMITTEE**

#### **MEETING MINUTES January 12, 2007**

##### **CALL TO ORDER:**

Chair Marty Montgomery called the meeting to order at 9:07 a.m.

Committee Members Present: Marty Montgomery, Carl Miller, Leonard Martyns,  
Saundra Cima and Fred Sandquist

Absent: Dennis Villavicencio and Dr. Joel Altshul

Staff Members Present: Mike Grim, Senior Planner  
Jim Boland, Meeting Facilitator  
Theresa Brassington

##### **APPROVAL OF MINUTES AND CHARTERED NOTED:**

A motion was made and seconded, to approve the Minutes for September 15 and December 1, 2006. By a vote of 5-0-2 the minutes were approved.

##### **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:**

Chair Montgomery opened up the meeting to public comments on items not on the agenda.

Minette Ozaki of Del Mar, suggested that the City consider purchasing trail easements on the Carlsbad Oaks North property. She noted that the property provides mountain bike trails, hiking and recreational uses. She added that the property could serve multiple purposes as recreational open space and trails.

Dr. Martyns noted that he would like Ms. Ozaki's comments to be added to the final report given to Council. All five members were in favor.

Mel Vernon, of the San Luis Rey Band of Mission Indians, commented that the City should consider the cultural and historical aspects of the proposed properties. He noted that the cities don't appreciate the importance of preserving the past and educating the present generation on local Indian culture. He felt that the historical and



cultural aspects had been minimized and should have been given higher ranking points. He pointed out that the Sherman Property and El Salto Falls had high cultural value that would benefit the community.

Chairman Montgomery noted that the El Salto Falls property was highly ranked on the priority list. Carl Miller added that the quarry has been significantly altered and would require rehabilitation. He further noted that it is near unique wildlife habitat and is worth preserving. He compared open space to the golf course and noted that open space and trails are a resource available to all.

## **REVIEW OF PROPERTY PROFILES AND RANKINGS:**

Mike Grim reviewed the thirteen properties and their proposed rankings. The property rankings were revised after new archeological information was included. The final points ranking order was:

South Coast Quarry	175
County Airport Property	175
Sherman Property	173
Calavera Village H	173
Kato Property	173
Mandana Property	173
CUSD High School Site	168
Lubliner Property	161
Rancho Carlsbad	151
Mitsuuchi Property	145
Murphy Property	143
Poinsettia Vernal Pools	102
Brodiaea Preserve	82

## **PUBLIC COMMENT:**

Shelly Hayes Carron, residing in the Marron Adobe, stated that the Hanson's reclamation of the quarry site has been successful and that the site should be used for public trails, recreation and bike paths. She stated that the unique habitat and historical attributes of the property could make it a destination site for visitors. She thanked the community at large for donating funds to save the property.

Diane Nygaard, of Oceanside, thanked the committee for their work and property research. She also distributed a flyer from the Truckee Land Trust, which charges hotel guests a dollar contribution towards the open space and trails maintenance.

Don Christiansen, of Carlsbad, added that he thought that El Salto Falls, Buena Vista Creek and Calavera Village "H" were all top priority properties. He asked what he could do to encourage the city to purchase these properties. Chair Montgomery suggested that the public can show up at council meetings and make their case there.

Mel Vernon, of San Luis Rey Indian Tribe, noted that El Salto Falls is a sacred Indian site registered with the State Commission. He commented that in the past historical sites were bulldozed over to make way for buildings but that hopefully we have evolved and recognize the importance of saving our past and culture.

## **CLOSING REMARKS:**

Chair Montgomery thanked the public for their comments and participation. He thanked them for researching properties and providing information and insight. Dr. Martyns added that the Mitsuuchi and Murphy properties didn't have adequate information on their environmental aspects and didn't get full credit for their unique attributes. He asked Mr. Grim to include environmental information on the two properties to be added as an addendum to the council's report.

Dr. Martyns recommended forwarding the current ranking list plus the addendum to the Council. He also suggested that the Council would greatly benefit from informational workshop to review and visit the properties. Sandra Cima seconded Dr. Martyn's suggestion. All members were in favor.

Sandra Cima concurred and stated that it was very helpful to go out and see each property. Fred Sandquist added that visiting the lagoons gives one a better appreciation for the habitat diversity there. He noted that the lagoons add important scenic vistas that all can enjoy and improve our quality of life.

Carl Miller said that he has been a Carlsbad resident since the 1940's and that he remembers when the Carlsbad Mall was an open space with a bird breeding preserve. He stated that he has seen so much development over the decades and that he would like to preserve the unique habitat areas still left in Carlsbad.

Chair Montgomery stated that Carlsbad citizens have a duty to preserve lagoons that lead to the ocean. Dr. Martyns added that he feels good about helping to preserve Carlsbad's open space and quality of life.

## **ADJOURNMENT:**

Chairman Montgomery made a motion to adjourn, which was seconded by Dr. Martyns. Chair Montgomery noted that the committee will officially sunset on January 31, 2007 and concluded the last Open Space Committee meeting.